

16560. Misbranding of Quin-Lax. U. S. v. 6 Boxes of Quin-Lax. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23578. I. S. No. 03427. S. No. 1762.)

On April 18, 1929, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 boxes of Quin-Lax, remaining in the original unbroken packages at Wachapreague, Va., alleging that the article had been shipped by James Baily & Son, Baltimore, Md., on or about February 13, 1929, and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained acetanilide, cinchonine, aloin, and cornstarch.

It was alleged in the libel that the article was misbranded in that the statement on the carton, "For * * * La Grippe," and the statement in the circular, "For Coughs," regarding the curative and therapeutic effect of the said article were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 28, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16561. Adulteration and misbranding of Nutriol. U. S. v. 8 Bottles of Nutriol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23625. I. S. No. 05843. S. No. 1851.)

On April 20, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 bottles of Nutriol, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Boss & Seiffert Co. (Inc.), from Providence, R. I., on or about March 27, 1929, and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of calcium, iron, manganese, potassium, sodium, and phosphorus compounds, quinine, strychnine, extracts of wild cherry, a trace of fish oil, glycerin, alcohol, sugar, and water.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, "Extract of Cod Liver Oil."

Misbranding was alleged for the reason that the statements "Extract of Cod Liver Oil" and "Uses—Instead of Cod Liver Oil," borne on the label, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (bottle label) "Uses * * * as a * * * general rebuilding tonic in defective Nerve Nutrition, Phthisis, Chronic Coughs, Exhaustion, Dyspepsia, and in all wasting diseases," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 27, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16562. Misbranding of W. H. Y. U. S. v. 20 cases of W. H. Y. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23795. I. S. No. 07154. S. No. 1998.)

On June 5, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cases of W. H. Y., remaining in the original unbroken packages at Philadelphia, Pa., consigned by R. O. Kendall, Los Angeles, Calif., alleging that the article had been shipped from Los Angeles, Calif., on or about May 13, 1929, and transported from the State of California into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of water-soluble constituents of caramelized cereals.

It was alleged in the libel that the article was misbranded in that the statement in stencil on the shipping cases, "Rich in Vitamins," and the statements on the carton label, "Super Food * * * is the concentrated vital essence of Figs, Raisins, Peanuts, Walnuts, Barley, Wheat and Celery * * * it is a wonderfully balanced food—supplies nature's essential requirements enabling the body to take care of itself * * * Balanced * * * Food, Approved by the U. S. Pure Food Commission, Rich in Vitamins," and the statements on the bottle label, "Balanced * * * Food * * * For Infants Contains the Vital Elements of Figs, Raisins, Peanuts, Walnuts, Barley, Wheat and Celery, * * * Rich in Vitamins, Complies with Pure Food Laws," were false and misleading. Misbranding was alleged for the further reason that the following statements on the carton label and in the yellow circular accompanying the article regarding the curative and therapeutic effects of the said article, "Aids digestion, assimilation and elimination * * * A health sustaining food * * * for * * * infants * * * Keeps Old Age Away * * * The Cup of Life W. H. Y. Feeds your Nerves * * * Feeds Your Glands * * * Gives You Strength * * * Clears the skin and gives that coveted healthy complexion * * * the cup of life," (circular) "Health * * * Breakfast. For one doing heavy work," were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On July 16, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16563. Misbranding of Pulmonol. U. S. v. 9 Bottles of Pulmonol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23421. I. S. No. 04124. S. No. 1567.)

On February 15, 1929, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 9 bottles of Pulmonol, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the Pulmonol Corporation, from Herkimer, N. Y., on or about January 30, 1929, and transported from the State of New York into the District of Columbia, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of potassium guaiacol sulphonate (3.2 per cent), sodium benzoate (1.42 per cent), hydrochloric acid (0.07 per cent), nux vomica extract, glycerin, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "Pulmonol * * * Used in the treatment of * * * coughs, grippe, Influenza and all Pulmonary Troubles. * * * For severe * * * bronchitis, influenza and tonsilitis take one teaspoonful in half glass of water every two hours until relieved, then two teaspoonfuls in half glass of water after each meal and on retiring. For Coughs, put Pulmonol on loaf of sugar and take as required to allay the cough. In convalescence and as a tonic, two teaspoonfuls in half glass of water after meals and on retiring. * * * The Pulmonol Corporation," (carton) "Pulmonol * * * All forms of Coughs, Bronchitis, Chronic and Acute Colds, General Run Down Condition, Nervous Indigestion, Weak Lungs and other pulmonary troubles. Unequaled as a Tonic following Influenza, Grippe, Pneumonia," (booklet) "Pulmonol * * * The Pulmonol Corporation * * * Pulmonol is a time tested remedy for all forms and conditions of pulmonary troubles and minor affections which lead to such. Chief among them being * * * Coughs, Influenza, Grippe, Etc. Also used with success in the treatment of run down condition of the body due to the imperfect assimilation of foods. Pulmonol is prepared after the prescription of Dr. A. V. Payne who evolved this remedy after many years of specializing on throat and lung troubles. * * * Conditions for which Pulmonol is Especially Recommended * * * Coughs, Bronchitis, Loss of Flesh and All Wasting Diseases. The majority of diseases of the throat and lungs originate directly from a so-called cold, and at first symptoms of such a condition treatment with Pulmonol should begin—and the trouble